

PERMIT TERM 91

Title: Inbasin Entitlements - Delta and Tributary Rivers

When Used: Permits of 1 cfs or more or 100 afa of storage or more within the Sacramento, Consumnes, Mokelumne, Calaveras, or San Joaquin River Basins or the Sacramento - San Joaquin Delta when hydraulic continuity with the Delta exists, or is likely to exist, during the requested diversion season. Exceptions are the Putah Creek, Stony Creek, and Cache Creek watersheds.

Term:

No diversion is authorized by this permit when satisfaction of inbasin entitlements requires release of supplemental Project water by the Central Valley Project or the State Water Project.

- a. Inbasin entitlements are defined as all rights to divert water from streams tributary to the Sacramento-San Joaquin Delta or the Delta for use within the respective basins of origin or the Legal Delta, unavoidable natural requirements for riparian habitat and conveyance losses, and flows required by the State Water Resources Control Board for maintenance of water quality and fish and wildlife. Export diversions and Project carriage water are specifically excluded from the definition of inbasin entitlements.
- b. Supplemental Project water is defined as that water imported to the basin by the projects plus water released from Project storage which is in excess of export diversions, Project carriage water, and Project inbasin deliveries.

The State Water Resources Control Board shall notify permittee of curtailment of diversion under this term after it finds that supplemental Project water has been released or will be released. The Board will advise permittee of the probability of imminent curtailment of diversion as far in advance as practicable based on anticipated requirements for supplemental Project water provided by the Project operators.

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